

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, MARCH 27, 2017**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, March 27, 2017, at 4:02 p.m., at the City Hall, 9345 Clayton Road. The following members were present:

The Hon. Nancy Spewak, Mayor, presiding.

Members of the Council present:

Patrick Hensley
John Fox
Harold Burroughs
William Brennan

Absent:

A. Charles Hiemenz
John Howell

Four Council Members present.

Also present were Ms. Laura Rider, City Clerk/Assistant to the Mayor, Police Chief Rich Wooten, Fire Chief Steven Lynn, Ms. Anne Lamitola, Public Works Director; Mr. Will Penney, Building Official; Ms. Andrea Sukanek, City Planner and Ms. Erin Seele, City Attorney. Mr. Sam Zes, Finance Director, was absent.

Approval of the Agenda: Mayor Spewak announced that Item D-2(a) Request for approval to authorize Chief Wooten to purchase a portable LiveScan fingerprint scanning unit under the Missouri Procurement/State Contract #C21509100 from Morpho Trak at a cost of \$17,120.00 has been withdrawn. Council Member Fox moved approval of the agenda as amended, seconded by Council Member Burroughs, which motion passed unanimously.

Approval of Minutes: Mayor Spewak asked if there were any amendments, corrections or clarifications to the minutes of the regular and closed meetings of February 21, 2017. Council Member Burroughs moved approval of the minutes as submitted for the regular and closed meetings of February 21, 2017, seconded by Council Member Hensley, which motion passed unanimously.

Public Forum: A resident expressed appreciation to the Mayor and Council for the quick resolution to the access issue from Pine Acre Road on to McKnight Road.

Public Hearings: PH1 - The City Council will hold a public hearing on a recommendation submitted by the Zoning and Planning Commission that the City Council approves a Special Use Permit for DRA Properties, L.L.C. to construct a stealth communication tower at a height of 85'. The proposed tower is designed to look like

a pine tree with foliage not to exceed 88'. The tower will be located at 9810 S. Outer Forty Road (west side of the property) in the D Residential zoning district.

Council Member Fox moved to open the public hearing, seconded by Council Member Brennan, which motion passed unanimously.

Ms. Erin Seele, City Attorney, stated that the hearing notice, the Zoning and Planning File ZPC 16-16 as well as the entire Code of Ordinances and Ordinance No. 1175 are entered as part of the record and are available for review.

The transcript of the public hearing is attached as part of the minutes.

Council Member Fox moved to close the public hearing, seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Hensley moved approval of a Special Use Permit for DRA Properties, L.L.C. to construct a stealth communication tower at a height of 85', designed to look like a pine tree with foliage not to exceed 88', located at 9810 S. Outer Forty Road, with the following additional conditions:

1. DRA Properties shall meet with the owners of residential properties adjacent to the mulch site that would have view of the tower to provide for additional landscaping to help screen the view of the tower from their properties. DRA Properties shall then provide landscaping where appropriate for additional screening for owners of residential properties that would have view of the tower, in accordance with a landscaping plan provided by DRA Properties and approved by the City of Ladue.
2. DRA properties shall provide appropriate landscaping around the perimeter of the fence, in accordance with a landscaping plan provided by DRA properties and approved by the City of Ladue.
3. This SUP is subject to final approval from the St. Louis Metropolitan Sewer District.

seconded by Council Member Burroughs, which motion passed unanimously.

PH2 – The City Council will hold a public hearing on a recommendation submitted by the Zoning and Planning Commission that the City Council approves a proposed amendment to the Zoning Ordinance (#1175) and the Ladue Code of Ordinances regarding development standards for storm water management and erosion control. Proposed changes to the ordinance include green space requirements for residential development, definition of green space, storm water management requirements for new construction, and erosion control requirements during construction. The amendment also includes a proposed change to Chapter 94 of the Ladue Code of Ordinances regarding requirements for storm water management in subdivisions.

Council Member Brennan moved to open the public hearing, seconded by Council Member Fox, which motion passed unanimously.

The transcript of the public hearing is attached as part of the minutes.

Council Member Fox moved to close the public hearing, seconded by Council Member Hensley, which motion passed unanimously.

Zoning & Planning Matters:

ZP1: Referral to the Zoning and Planning Commission for consideration of two text amendments to the City's Zoning Ordinance (#1175).

Suggested amendment #1 – Drive-through facilities shall be prohibited.

This amendment will involve changing Section II (General Provisions) to add "drive-through facilities" to the prohibited uses. Section VII regarding Special Use Permits (SUP) will also be amended to remove the ability to obtain an SUP for a drive-through restaurant or shop. Drive-throughs for banks will continue to require an SUP. In addition, definitions will be added to Section XIV for clarification.

Suggested amendment #2 – Non-residential developments that will use more than a certain square footage of floor area within a building shall require a Special Use Permit.

The current proposal is 7,500 square feet of floor area. This amendment would be added to Section VII regarding Special Use Permits and would apply to uses in the G Commercial District.

Ms. Sukanek provided a brief explanation of the suggested amendments and commented that the prohibited uses and requirements for special use permits are somewhat out of date. There was discussion regarding drive-throughs and vehicle stacking requirements.

Council Member Fox moved referral of the two text amendments to the City's Zoning Ordinance #1175 to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Brennan, which motion passed unanimously.

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2145 – An ordinance of the City of Ladue, St. Louis County, Missouri, repealing Ordinance 2139 and authorizing the mayor to execute an agreement on behalf of the City of Ladue, Missouri with the Missouri Highways and Transportation Commission whereby the Commission grants permission to allow the installation of ornamental fencing and the City agrees to provide for the maintenance thereof.

Mayor Spewak read Bill No. 2145 for a first reading. Council Member Fox read Bill No. 2145 for a second reading.

Ms. Lamitola explained that there were some minor revisions requested by the Missouri Department of Transportation (MoDot) to the previously approved agreement for the installation and maintenance of the Schnucks/Desco ornamental fencing.

Council Member Fox moved approval of Bill No. 2145, seconded by Council Member Hensley and the vote thereupon was as follows:

Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Hensley	"Aye"
Council Member Burroughs	"Aye"

There being four aye votes and zero nay votes the motion passed unanimously.

Mayor Spewak declared Bill No. 2145 adopted as **Ordinance 2145**.

Bill No. 2146 – An ordinance of the City of Ladue, St. Louis County, Missouri, amending Section 98-200 of Article VII on speed restrictions of the Ladue Municipal Code to establish a speed limit on Meadow Acres Lane of twenty-five miles per hour.

Mayor Spewak read Bill No. 2146 for a first reading. Council Member Hensley read Bill No. 2146 for a second reading.

Chief Wooten stated that this bill is a companion bill to last month's "No Parking" ordinance and establishes the speed limit.

Council Member Brennan moved approval of Bill No. 2146, seconded by Council Member Burroughs, and the vote thereupon was as follows:

Council Member Brennan	"Aye"
Council Member Hensley	"Aye"
Council Member Burroughs	"Aye"
Council Member Fox	"Aye"

There being four aye votes and zero nay votes the motion passed unanimously.

Mayor Spewak declared Bill No. 2146 adopted as **Ordinance 2146**.

Bill No. 2147 – An ordinance providing for Ameren Missouri to provide notification of new electric service customers for the purpose of accurate resident names and authorizing payment for the same.

Mayor Spewak read Bill No. 2147 for a first reading. Council Member Brennan read Bill No. 2147 for a second reading.

Council Member Hensley moved approval of Bill No. 2147, seconded by Council Member Burroughs, and the vote thereupon was as follows:

Council Member Hensley	"Aye"
Council Member Burroughs	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"

There being four aye votes and zero nay votes the motion passed unanimously.

Mayor Spewak declared Bill No. 2147 adopted as **Ordinance 2147**.

Bill No. 2148 - An ordinance amending Sections II, V, and XIV of Ordinance 1175, the Zoning Ordinances of the City of Ladue, St. Louis County, Missouri, concerning erosion control, green space and lot coverage; and amending Chapters 94 and 110 of the Ladue Code of Ordinances regarding stormwater requirements for subdivisions and re-subdivisions, erosion control, and post-construction stormwater requirements.

Mayor Spewak read Bill No. 2148 for a first reading. Council Member Burroughs read Bill No. 2148 for a second reading.

Council Member Hensley moved approval of Bill No. 2148, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Burroughs	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Hensley	"Aye"

There being four aye votes and zero nay votes the motion passed unanimously.

Mayor Spewak declared Bill No. 2148 adopted as **Ordinance 2148**.

Resolution No. 2017-06 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Zobrio, Inc. for information technology support services.

Council Member Fox moved adoption of Resolution No. 2017-06, seconded by Council Member Burroughs, which motion passed unanimously.

Resolution No. 2017-07 - A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Tech Electronics, Inc. for fire alarm monitoring services for the new Fire House No.1 and Fire House No. 2.

Council Member Burroughs moved adoption of Resolution No. 2017-07, seconded by Council Member Fox, which motion passed unanimously.

Resolution No. 2017-08 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Gamma Tree Experts for emergency debris removal.

Ms. Lamitola stated that the Federal Emergency Management Agency (FEMA) recommends having established pricing ahead of an emergency event and in order to maintain eligibility for FEMA reimbursement of City expenses in response to an emergency event.

Council Member Fox moved adoption of Resolution No. 2017-08, seconded by Council Member Hensley, which motion passed unanimously.

Resolution No. 2017-09 - A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Corrective Asphalt Materials, LLC for the application of Reclamite on Price Road from Clayton Road to the northern municipal limits.

Council Member Fox moved adoption of Resolution No. 2017-09, seconded by Council Member Hensley, which motion passed unanimously.

Resolution No. 2017-10 – A resolution authorizing the mayor to execute on behalf of the City of Ladue, Missouri a contract with CBIZ, Inc. for a comprehensive employee compensation and benefits study.

Ms. Rider stated that the City Council had granted approval to issue a Request for Proposals (RFP) for a compensation and benefits study for the non-uniform employees at their January meeting. After discussions with staff, it was determined to be in the best interest of the City to include an add alternate to the RFP for a compensation study for the uniform employees. The RFP was issued on February 6th. The City received four proposals with CBIZ submitting the lowest bid of \$13,000 for the non-uniform study and \$5,000 for the uniform study, totaling \$18,000. There may be an additional cost for focus group meetings but there will be a cap of \$2,000 placed on this option. Ms. Rider reminded the Council that the cost for this study is not included in the 2017 budget; therefore, a budget amendment will be presented to Council at a later date.

Council Member Hensley moved adoption of Resolution No. 2017-10, seconded by Council Member Burroughs, which motion passed unanimously.

Financial Matters:

Mayor Spewak announced that the annual audit is scheduled for the week of April 10th.

The Council reviewed the **vouchers for payment** for the month of February 2017. Council Member Burroughs moved their approval, seconded by Council Member Hensley, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's reports for February 2017. The Mayor ordered the reports filed for information.

Due to year-end closing there were no February 2017 financial reports.

The Mayor and Council reviewed the Cash Flow Summary for February 2017. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for February 2017. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for February 2017. The Mayor ordered the report filed.

Chief Lynn reported that Engine 3914's transmission repair has been completed and it is back in service. The repair cost \$1,300.00 less than the estimate.

Ms. Collette Koscielski, with Paric/Navigate Building Solutions, gave a status update on the construction of new Firehouse No. 1. The sewer work on Price Road has been completed. Inside the building, drywall is going up and wiring has begun. Installation of the windows should be completed this week and work continues on the site utilities.

Ms. Koscielski presented the proposed plan for the new traffic signal for Fire House No. 1 which includes 1 pole with two arms for light signals and a second pole that will be placed east of the driveway to stop cars before they can block the Fire House driveway.

Ms. Koscielski stated that Charter will be the phone and internet provider for the new Fire House. Charter is unable to begin any work on the site until they have a contract with the City. Charter is reviewing the standard City contract but so as not to delay the work authorization is requested for the Mayor to sign a contract once the terms and conditions are finalized.

Council Member Fox moved approval to authorize the Mayor to execute a contract with Charter for phone and internet service for Fire House No. 1 upon finalization of the terms and conditions, seconded by Council Member Hensley, which motion passed unanimously.

Police Department: The Mayor and Council reviewed the Police Activity Report for February 2017. The Mayor ordered the report filed.

Public Works Department: The Mayor and Council reviewed the Public Works report for February 2017. The Mayor ordered the report filed.

Ms. Lamitola reported that MSD's Deer Creek Sanitary Sewer Relief Project Phase II will begin construction within Ladue in 2018. MSD will host informational meetings open to the public. MSD is considering approaching the City about obtaining approval for the ability to blast through rock to speed up construction.

Building Office Report: The Mayor and Council reviewed the Building Office report for February 2017. The Mayor ordered the report filed.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for February 2017. The Mayor ordered the report filed.

Administration/City Clerk: Ladue Police Sergeant Dennis Pohlmann presented the deer population estimate summary report based on data collected from spotlight surveys conducted in late January and early February 2017 and reviewed the deer harvest report from the 2016 archery season.

City Attorney: Ms. Seele had nothing to report.

Appointments: None

Mayor Spewak noted that the next meetings are scheduled for Monday, April 24th and Monday, May 15th.

Mayor Spewak advised there were items for discussion in executive session involving litigation, legal matters and/or confidential communications between the Council and its attorneys under RSMo. Section 610.021 (1).

Council Member Fox moved to go into closed session for discussion of litigation, legal actions and/or any confidential or privileged communications from the City Attorney pursuant to RSMo. 610.021 (1) seconded by Council Member Hensley and the vote thereupon was as follows:

Council Member Hensley	"Aye"
Council Member Burroughs	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"

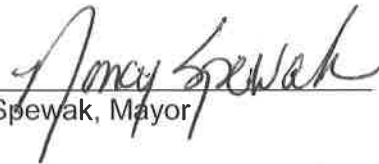
There being four aye votes and zero nay votes the motion passed unanimously.

The Mayor and Council, with the exception of Council Members Hiemenz and Howell who were absent, went into closed session at 5:39 PM with Ms. Erin Seele.

The Mayor and Council returned to open session at 5:45 PM with Ms. Erin Seele.

Adjournment: Council Member Burroughs moved adjournment, seconded by Council Member Brennan, which motion passed unanimously. The meeting adjourned at 5:45 PM.

APPROVED THIS 24TH DAY OF APRIL, 2017.



Nancy Spewak, Mayor

ATTEST:



Laura Rider, City Clerk

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MEETING OF THE CITY COUNCIL
CITY OF LADUE
LADUE, MISSOURI

IN THE MATTER OF:)

)

CITY COUNCIL)

9345 CLAYTON ROAD)

LADUE, MISSOURI 63124)

Monday, March 27, 2017

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BOBBIE LUBER, LLC  
*Certified Court Reporters*  
P.O. Box 31201 ~ 1015 Grupp Road ~ St. Louis, MO 63131  
314.541.3179

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MEETING OF THE CITY COUNCIL  
CITY OF LADUE  
LADUE, MISSOURI

IN THE MATTER OF:        )  
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CITY COUNCIL                )  
9345 CLAYTON ROAD         )  
LADUE, MISSOURI 63124     )

BE IT REMEMBERED that on the 27th day of  
March, 2017, hearing was held before the City Council  
of the City of Ladue, Missouri, at Ladue City Hall,  
9345 Clayton Road, in the City of Ladue, State of  
Missouri 63124, regarding the above-entitled matter  
before Bobbie L. Luber, Certified Court Reporter,  
Registered Professional Reporter, Certified Shorthand  
Reporter, a Notary Public within and for the State of  
Missouri, and the following proceedings were had.

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A P P E A R A N C E S:

COUNCIL MEMBERS:

Mayor Nancy Spewak, Chairperson

Mr. Bill Brennan

Mr. Hal Burroughs

Mr. John R. Fox

Mr. Patrick Hensley

Also Present:

Ms. Anne Lamitola, Public Works Director

Mr. Will Penney, Building Official

Ms. Laura Rider, City Clerk

Ms. Erin Seele, City Attorney

Ms. Andrea Sukanek, City Planner

Court Reporter:

Bobbie L. Luber

Registered Professional Reporter #9209

Missouri CCR #621

Illinois CSR #084.004673

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LADUE CITY COUNCIL - MARCH 27, 2017

1 (The Meeting of the City Council of the City  
2 of Ladue was called to order at 4:00 p.m.)

3  
4 MAYOR SPEWAK: Hi, everybody. I'm going to  
5 call the meeting to order.

6 At this time I'm going to ask for a motion  
7 to adopt the agenda with an amendment to remove D-2  
8 from the agenda under department reports. We pulled  
9 the request for the LiveScan fingerprint machine until  
10 we get a little bit more information. And so that  
11 will probably come back to us next time.

12 COUNCILMAN FOX: Mayor, I would move the  
13 adoption of the agenda deleting item D-2.

14 MAYOR SPEWAK: Second?

15 COUNCILMAN BURROUGHS: Second.

16 MAYOR SPEWAK: All in favor?

17 COUNCILMAN BRENNAN: Aye.

18 COUNCILMAN BURROUGHS: Aye.

19 COUNCILMAN FOX: Aye.

20 COUNCILMAN HENSLEY: Aye.

21 MAYOR SPEWAK: Opposed?

22 Okay. And now a motion to approve the  
23 minutes of the regular and closed meetings of February  
24 21st?

25 COUNCILMAN BURROUGHS: So moved.

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1 COUNCILMAN HENSLEY: Second.

2 MAYOR SPEWAK: All in favor?

3 COUNCILMAN BRENNAN: Aye.

4 COUNCILMAN BURROUGHS. Aye.

5 COUNCILMAN FOX: Aye.

6 COUNCILMAN HENSLEY: Aye.

7 MAYOR SPEWAK: Opposed?

8 Okay. At this time I recognize anyone who  
9 wishes to address us on city matters. Yes, sir.

10 AUDIENCE: I would like to thank you, you  
11 promptly and quickly addressed the problem we had on  
12 Pine Acre Road onto McKnight, and I want to thank you.

13 MAYOR SPEWAK: Thank you very much. We  
14 appreciate that.

15 Anyone else wish to address the Council or  
16 questions? Okay. We are going to move on to Public  
17 Hearing Number 1.

18 The City Council will now hold a public  
19 hearing on a recommendation submitted by the Zoning  
20 and Planning Commission that the City Council approves  
21 a special use permit with DRA Properties to construct  
22 a stealth communication tower at a height of 85 feet.  
23 The proposed tower is designed to look like a pine  
24 tree with foliage not to exceed 88 feet. The tower  
25 will be located at 9810 South Outer Forty Road, the

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1 west side of the property, in the D residential zoning  
2 district.

3 Do I have a motion to open the public  
4 hearing?

5 COUNCILMAN FOX: So moved.

6 COUNCILMAN BRENNAN: Second.

7 MAYOR SPEWAK: All in favor?

8 COUNCILMAN BRENNAN: Aye.

9 COUNCILMAN BURROUGHS. Aye.

10 COUNCILMAN FOX: Aye.

11 COUNCILMAN HENSLEY: Aye.

12 MAYOR SPEWAK: Let's hear first from Erin.

13 MS. SEELE: Just for the record, tonight's  
14 public hearing notice, as well as the entire records  
15 the city maintains, and the entire files and reports  
16 and the Zoning and Planning recommendations are here  
17 and available for review, as well as the entire  
18 Ordinance 1175, the Code of Ordinances, and they are  
19 made a part of the official record for tonight's  
20 hearing.

21 MAYOR SPEWAK: I see Doug Dolan is here  
22 with DRA Properties, and so I will ask Doug to give  
23 his presentation, and then we will ask Andrea Sukanek,  
24 our city planner, to give us her thoughts.

25 MR. DOLAN: I will be happy to.

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1 Mayor, and members of council, my name is  
2 Doug Dolan, with Dolan Realty Advisors. We develop  
3 stealth monopines for communities such as Ladue.

4 We have before you -- perhaps it makes  
5 sense to start off with a photo simulation. You may  
6 have seen this before. This has been through both the  
7 Zoning Board of Adjustment and it's gone through  
8 Planning and Zoning. And they both gave their  
9 favorable recommendation.

10 This site is the proposed course for the  
11 mulch facility. It was mentioned by the mayor it's a  
12 height of 85 feet full height, and 3 feet of foliage,  
13 making it 88 feet in total.

14 We worked closely with the Public Works  
15 Department to come up with an acceptable site. There  
16 are a lot of things going on at the mulch facility.  
17 The new project that is proposed. There is also a  
18 hiking and biking trail as it's proposed, and so this  
19 design incorporates those factors too.

20 I'm going to show you the site plan,  
21 proposed site plan that was all part of your package  
22 that was sent out earlier, but the proposed site, I  
23 can share these with any members of the audience if  
24 they want to see this too.

25 The proposed site is right in this area



1 right here. The proposed MSD line is going to come  
2 through here, this gray area, and also a secondary  
3 line is going to come through here.

4 At one time perhaps there was a home at  
5 that site, and we are next door or just south of the  
6 proposed -- the former home on the property. So we  
7 are near the entrance to the mulch facility.

8 COUNCILMAN FOX: Inside the gate?

9 MR. DOLAN: Yes, we are inside the gate.  
10 Again, this is dependent upon an acceptable lease  
11 being worked out with the city. We submitted a draft  
12 proposal that is being reviewed and discussed with the  
13 city. This, of course, is not to sign the lease or  
14 approve the lease, but this is for the zoning. At  
15 which point at a subsequent meeting we would have a  
16 meeting to approve the lease.

17 COUNCILMAN FOX: Some of us were just over  
18 at the new firehouse to see that tree. This one is  
19 going to be identical to that one?

20 MR. DOLAN: That is correct, exactly size  
21 and all.

22 MR. HENSLEY: The same height.

23 MR. DOLAN: Yes, the same height.

24 MR. BOMMARITO: Question.

25 MAYOR SPEWAK: Yes, Mayor Bommarito.

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1           MR. BOMMARITO: Is there any data building  
2 attached to the tower?

3           MR. DOLAN: At the base will be a Verizon  
4 Wireless cabinet. It will be a closed cabinet. It  
5 will not be exposed.

6           MR. BOMMARITO: Will it look like the one  
7 at the firehouse, that's next to the firehouse?

8           MR. DOLAN: No. That's an AT&T shelter.  
9 That's a much larger shelter. Verizon has put an  
10 annex. They -- about this high and about this wide.  
11 It will look more like a Sprint compound, which is  
12 behind the building.

13           MR. BOMMARITO: Does it architecturally fit  
14 in with the city, or is it just another prefab piece  
15 of fabric?

16           MR. DOLAN: It's a metal equipment cabinet.  
17 It will be concealed behind a decorative fence.

18           MR. BOMMARITO: Have you seen it?

19           MS. LAMITOLA: We don't have the fence up  
20 yet.

21           MR. DOLAN: That's correct. It's not a  
22 finished project yet. The fence we were asked to keep  
23 down because they were in the midst of building the  
24 fire station and it would be in the way.

25           COUNCILMAN FOX: Tony, as you know, it's a

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1 really tight site there for the firehouse, and so we  
2 didn't want the new fence going up until we were  
3 finished.

4 MAYOR SPEWAK: We are going to landscape  
5 around it. It's really not visible for anybody from  
6 the mulch site.

7 COUNCILMAN BRENNAN: Is it a 24-hour  
8 access?

9 MR. DOLAN: They prefer 24-hour access.  
10 Only in the case of an emergency in the evenings  
11 because the usage is the lowest in the middle of the  
12 night, so there are times where they prefer to get in  
13 the middle of the night.

14 MAYOR SPEWAK: We worked out that they are  
15 going to have access to the gate on the site. Whoever  
16 the providers are, they end up being on the main  
17 tower, we have access. Much like if they had access  
18 to the firehouse.

19 MR. HENSLEY: A magnetic hide-a-key.

20 MAYOR SPEWAK: Okay.

21 COUNCILMAN BRENNAN: Will all four of them  
22 go in?

23 MR. DOLAN: We can design it for all four.  
24 It can be Sprint, Verizon, T-Mobile. The initial  
25 carrier that has shown the initial interest is Verizon

1 Wireless.

2 MAYOR SPEWAK: Could you address also  
3 basically how this is going to improve, if they are  
4 not close to a tower.

5 MR. DOLAN: Right. I think perhaps a half  
6 mile from this tree will have very good coverage.  
7 This tree, this site, will help all the neighboring  
8 sites, because when you have a dropped call, you have  
9 probably a slow data speed. That's overuse of  
10 existing sites. They are fighting capacity issues  
11 now. So dropped calls can result from overuse of the  
12 existing site. So building a new site will offload  
13 the pressure from the neighboring sites. So it will  
14 help the whole network work better.

15 COUNCILMAN HENSLEY: So, across the street  
16 is the -- at 9811, and there are cell towers on that  
17 building now. They are built into the antenna system  
18 on the top of the building. Is that the same people  
19 that are going on this?

20 MR. DOLAN: No. That's -- AT&T and  
21 T-Mobile are on the rooftop at the NCR building. They  
22 plan to stay there for now. We are going to offer  
23 them an attractive alternative to that site, but there  
24 are no plans.

25 MAYOR SPEWAK: Sir, do you have a comment?

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1 MR. TIERNEY: Yes, Your Honor. Thank you  
2 very much.

3 I'm Michael Tierney. I live at 10 Twin  
4 Springs Lane. We live adjacent to the proposed cell  
5 phone tower. I will be brief.

6 My wife and I are just simply opposed to  
7 this. I think we are swimming upstream on this one.  
8 And I won't go to any great length about why we are  
9 opposed to it. I think we are carrying some anger.  
10 It's ugly. We will be able to see it through the  
11 trees through various times of the year. Whether  
12 there is a healthcare issue as a result of living so  
13 close proximity to a microwave tower, I don't know.  
14 But I think the horse is pretty much out of the barn  
15 on this.

16 Matt and Jane, who also live on  
17 Twin Springs, who may be able to see it better than we  
18 will, or worse than we will, have also asked me to let  
19 you know that they are opposed to the tower.

20 Having said that, Mike and Terri Hennessey  
21 are here. Mike, he is a very shy person and doesn't  
22 want to speak. He is not going to get aggravated with  
23 me.

24 AUDIENCE: Is this contract with Ladue and  
25 you, is it allowable for you to charge the other three

1 carriers?

2 MR. DOLAN: Correct. That's the agreement  
3 that we are working on. The business terms are not  
4 settled yet, but the agreement for each additional  
5 carrier will be additional revenue.

6 AUDIENCE: And how much is the revenue that  
7 is proposed?

8 MAYOR SPEWAK: We are in the negotiation  
9 fee with it, and I don't think that we want to discuss  
10 it. But we have a proposal from DRA, and we are  
11 reviewing that, and we will be going back to them with  
12 a counterproposal.

13 AUDIENCE: Ma'am, one last question. And  
14 this may not be the appropriate time for this. But  
15 are you able to give us any insight into the proposed  
16 development plans, if that's what you can call them,  
17 with the mulch site generally. We have read in the  
18 newspaper that the city is going to contract, in  
19 effect use it as temporary storage site, contract for  
20 the removal of the branches and leaves and things as  
21 that. What's the latest on that?

22 MAYOR SPEWAK: Sure. As you know the  
23 Council voted last month to discontinue free mulch,  
24 the compost delivering free mulch to residents. The  
25 site itself is still going to be used as a collection

1 facility for the leaf and brush collection program.  
2 There are no plans to sell the site, develop the site.  
3 A lot of the site is floodplain issue, and wouldn't be  
4 able to be developed.

5 We have had as part of a beautifying Ladue  
6 efforts early on -- we had a proposal to have a  
7 trailhead at Clayton Road and the 40 access road, and  
8 then it would wind the trail going through the mulch  
9 site. That's only proposed. I put it in quotes  
10 because there is no funding for it, but that is a  
11 possibility that we wanted to do a trail that would  
12 connect most of the third ward coming to this district  
13 through that trail on the access road. But we have to  
14 have funding for that.

15 So if the mulch -- the mulch, the actual  
16 composting operation were still, if we had voted to  
17 continue it rather than to discontinue it, we would  
18 have still put a stealth tower there, and everything  
19 was designed to work around that mulching operation.

20 So, for now and for the foreseeable future  
21 there is no plans to do anything with it other than to  
22 use it as our own site. We own it.

23 AUDIENCE: Is there any way that the city  
24 would contract with the hauling company to do mulching  
25 at the site?

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1           MAYOR SPEWAK: No, we are not going to be  
2 doing mulching at the site. But Anne is talking with  
3 St. Louis Composting.

4           MS. LAMITOLA: It will be used for the  
5 haul-off of material. So it will be used as a  
6 transfer facility. It will be collected, as the mayor  
7 stated, by city crews and taken to the mulch site  
8 where it will be stored until it can be hauled off.

9           Right now one of the issues, we do  
10 double-grinding with the brush to make our wood-chip  
11 mulch. Now we will be single-grinding it, and it will  
12 be trucked off.

13          MAYOR SPEWAK: So, that will be less  
14 grinding.

15          MS. LAMITOLA: Slightly less.

16          MAYOR SPEWAK: Okay. Does that answer your  
17 question?

18          AUDIENCE: It does. Thank you. I didn't  
19 realize that it would still be grinding happening.

20          MS. LAMITOLA: To reduce the volume so it  
21 can be hauled off at a more cost-effective rate.

22          MAYOR SPEWAK: And to go back to your view  
23 from your house about the cell tower. Have you been  
24 on Mr. Tierney's property?

25          MR. DOLAN: No.



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1           MAYOR SPEWAK: So, would you be willing to  
2 meet with Mr. Tierney and his neighbor, and show where  
3 it will be and possibly offer some landscaping if that  
4 would be helpful to you to conceal the tower?

5           MR. DOLAN: We had another case recently  
6 where we met with the neighbor and we were able to put  
7 some pine trees to help screen.

8           AUDIENCE: Thanks. We appreciate that.  
9 That's a nice offer. We appreciate that. I will work  
10 that out with you.

11           MAYOR SPEWAK: Okay. Anyone else? I think  
12 it's so positive. Andrea, do you want to give the  
13 city's perspective on this?

14           MS. SUKANEK: Sure. The tower meets all  
15 the basic setbacks requirements as far as distance  
16 from the property and distance from the building. And  
17 it has four different variances for the height of 88  
18 feet, it's above -- the limit is 80 feet, this is 88  
19 feet. So that being above the surrounding trees by  
20 more than 5 feet.

21           There is a requirement in the zoning  
22 district it can be on the lot that exceeds two acres  
23 but that house is occupied by a church, school, public  
24 cemetery. This property exceeds the two acres, but  
25 it's not occupied by a church, school, public

1 cemetery, and so they got a variance for that.

2 And then also for the fence, that it's  
3 vinyl. The restrictions are that it be stone and  
4 brick, and so they got a variance for that as well.

5 So, based on the variances and meeting the  
6 setbacks they pretty much basically meet the  
7 requirements. They did receive a positive  
8 recommendation from Zoning and Planning. Most of the  
9 conditions are recommended as very basic, with the  
10 addition of the lease agreement, and then the sharing  
11 of the gates, which I guess has been sort of started  
12 to be worked out, although there is still some work to  
13 do on that.

14 And I guess there is some question about  
15 approval from MSD. I guess MSD had a comment.

16 MR. DOLAN: We had preliminary approval  
17 from MSD, and there might still be questions, and so I  
18 recontacted MSD and I have not heard back, but we will  
19 continue to followup with that.

20 MS. SUKANEK: I looked at the site earlier  
21 today, and it was shedding a few pine needles. Is  
22 that related to --

23 MR. DOLAN: For some reason we have a  
24 dozen, a couple dozen of these laying at the bottom.  
25 It's covered in wind tunnels up to 90 miles an hour,

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1 with hail, storm, or any activity, on top of the work  
2 could cause it.

3 COUNCILMAN FOX: Wait a minute. The  
4 construction guys didn't do anything like that.  
5 That's not going to work. It's all cleaned up on the  
6 other side, on the contractor's side.

7 MR. DOLAN: It's all on one side of the  
8 tree. It's unclear what caused it. They have done  
9 hundreds of these trees, it's a new event for them.

10 MAYOR SPEWAK: We want it to be realistic,  
11 but not that realistic.

12 COUNCILMAN FOX: It's not supposed to be a  
13 deciduous pine tree.

14 MS. SUKANEK: I think that was all I had  
15 about it.

16 MAYOR SPEWAK: A couple of questions for  
17 you. We have got the 8-foot fence to surround the  
18 tower, the cabinet. Is there a landscaping -- I  
19 thought there was a landscape around that fence.

20 MS. SUKANEK: I don't know that we have  
21 discussed landscaping.

22 MR. DOLAN: We have some natural  
23 landscaping on one side to come out. We are open to  
24 whatever the city needs as reasonable.

25 MAYOR SPEWAK: Should we add that to the

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1 requirement that the landscaping where appropriate.  
2 And then also -- that would be for the 8-foot fence,  
3 Andrea, but then also put it in as a condition that  
4 DRA will meet with the two properties' owners that  
5 have a view of the tower from their property, and will  
6 work with them to add appropriate landscaping.

7 MS. SUKANEK: So those would be the  
8 property owners?

9 MAYOR SPEWAK: Do what we can.  
10 Mr. Tierney, what's your number.

11 MR. TIERNEY: I'm at number 10. The  
12 Hennesseys would like to attend, Your Honor.

13 MAYOR SPEWAK: Okay. What are the  
14 addresses?

15 MR. TIERNEY: 10 and 11.

16 MS. SUKANEK: And it's approved by the  
17 city.

18 MAYOR SPEWAK: As approved by the city.

19 COUNCILMAN BURROUGHS: Condition 8 should  
20 be condition 7.

21 MS. SUKANEK: Okay.

22 COUNCILMAN BURROUGHS: It is no longer used  
23 for its original communications.

24 MAYOR SPEWAK: Okay. Anything else that we  
25 want to add into the SUP requirement?

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1 MS. SEELE: We may want to add this. We  
2 don't actually have MSD approval yet.

3 MAYOR SPEWAK: Yes. Subject to final MSD  
4 approval.

5 MS. SUKANEK: Right. So our added  
6 conditions are: Subject to MSD approval, subject to a  
7 review of the adjacent property owners, landscaping  
8 where appropriate. And I guess -- was that all?

9 MAYOR SPEWAK: Landscaping where  
10 appropriate on the site at the fence line. And then a  
11 review of the landscape options to shield the view  
12 from properties numbered 10 through 14 on Twin Springs  
13 Lane. Thank you.

14 MS. SEELE: All subject to the approval of  
15 the city.

16 MAYOR SPEWAK: All subject to the approval  
17 of the city.

18 MS. SUKANEK: And did you want to have any  
19 kind of additional condition relating to the shedding  
20 of the pine needles?

21 MAYOR SPEWAK: I think we'll work through  
22 that, because we don't want them to shed.

23 MR. HENSLEY: Will public works have  
24 access? Is there lighting or anything?

25 MAYOR SPEWAK: That's in the conditions.

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1 MS. SUKANEK: Yes. Written documents shall  
2 be prepared to agree on the maintenance and access of  
3 the gates.

4 COUNCILMAN FOX: Maintenance and access was  
5 required in the Zoning and Planning approval of the  
6 tree that's behind the firehouse, and so if you would  
7 use language similar to that.

8 MS. SUKANEK: Sure.

9 MAYOR SPEWAK: That's in conditions.

10 MS. SUKANEK: It is number 6.

11 MAYOR SPEWAK: And I guess there is only  
12 one other question from me. At night when they  
13 service the tree, somebody just said lights over here,  
14 how does that work?

15 MR. DOLAN: There is no real light. Maybe  
16 a small security light above the door -- not the door,  
17 there may be a small security light on the equipment  
18 themselves.

19 MAYOR SPEWAK: If they get up there in the  
20 tree at night --

21 MR. DOLAN: No, they wouldn't do any of  
22 that work at midnight. This is maybe a three-month  
23 thing, six-month at the most. The equipment, it would  
24 be on the ground.

25 MAYOR SPEWAK: Okay. Any further comments

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1 from the public? All right.

2 Is there a motion to close the public  
3 hearing?

4 COUNCILMAN FOX: So moved.

5 COUNCILMAN BURROUGHS: Second.

6 MAYOR SPEWAK: All in favor?

7 COUNCILMAN BRENNAN: Aye.

8 COUNCILMAN BURROUGHS. Aye.

9 COUNCILMAN FOX: Aye.

10 COUNCILMAN HENSLEY: Aye.

11 MAYOR SPEWAK: Opposed?

12 Any further comment from the Council? Is  
13 there a motion to approve the special use permit with  
14 the three conditions that have just been outlined in  
15 the public hearing?

16 COUNCILMAN BURROUGHS: Second.

17 MAYOR SPEWAK: All in favor?

18 COUNCILMAN BRENNAN: Aye.

19 COUNCILMAN BURROUGHS. Aye.

20 COUNCILMAN FOX: Aye.

21 COUNCILMAN HENSLEY: Aye.

22 MAYOR SPEWAK: Opposed? Okay. Thanks.

23 AUDIENCE: Thank you, Your Honor.

24 MAYOR SPEWAK: Thank you. Thanks for  
25 coming.

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1           Okay. Next we will go to -- the City  
2 Council will hold a public hearing on a recommendation  
3 submitted by the Zoning and Planning Commission that  
4 the City Council approves a proposed amendment to the  
5 Zoning Ordinance 1175 and the Ladue Code of Ordinances  
6 regarding development standards for stormwater  
7 management and erosion control. Proposed changes to  
8 the ordinance include green-space requirements for  
9 residential development, definition of green space,  
10 stormwater management requirements for new  
11 construction, and erosion control requirements during  
12 construction. The amendment also includes a proposed  
13 change to Chapter 94 of the Ladue Code of Ordinances  
14 regarding requirements for stormwater management in  
15 subdivisions. Is there a motion to open the public  
16 hearing?

17           COUNCILMAN BRENNAN: So moved.

18           COUNCILMAN FOX: Second.

19           MAYOR SPEWAK: All in favor?

20           COUNCILMAN BRENNAN: Aye.

21           COUNCILMAN BURROUGHS. Aye.

22           COUNCILMAN FOX: Aye.

23           COUNCILMAN HENSLEY: Aye.

24           MAYOR SPEWAK: Opposed?

25           Okay. I think, Andrea, it would be



1 appropriate for you to go through this.

2 MS. SUKANEK: Right. Almost a year ago we  
3 started meeting to talk about what kind of new  
4 recommendations we wanted to make as far as future  
5 development to protect the city from stormwater  
6 runoff, and the committee that was working on that,  
7 the resident standard subcommittee, came up with a few  
8 recommendations. The basics were doing some kind of  
9 green-space requirement on residential lots. And then  
10 we also had some things for making sure that  
11 subdivisions, that they had more standards for the  
12 retention that they had to do. And then there were  
13 things for basic residential construction like sump  
14 pumps and for downspouts, and just to make sure that  
15 they couldn't do anything that would cause more  
16 stormwater problems.

17 And then the results of erosion control.  
18 We kind of beefed up that a little bit. There were  
19 some things that it wasn't real clear that some of the  
20 properties needed to do. There is a land-survey  
21 permit. But there are lots that don't quite qualify  
22 for the land-survey permit, and so we wanted to make  
23 sure that those were covered and that they wouldn't be  
24 able to get away with doing less than what they should  
25 do.

1           Those were kind of the basic requirements.  
2       We took those to the Zoning and Planning Commission,  
3       and came up with some changes to the ordinances. I  
4       don't know in what detail you want me to go through  
5       these, but there were some changes to the zoning  
6       ordinance.

7           The green-space requirements, that's kind  
8       of a major one, and so I will go through that one with  
9       some detail.

10           We wanted to have District A, the minimum  
11       green-space would be 80 percent. District C would be  
12       75 percent. District C would be 65 percent. District  
13       D, 55 percent. District E, 40 percent. E-1, 40  
14       percent. And that would be keeping the existing  
15       restrictions of the 30 percent yard coverage, and the  
16       25 percent side-yard coverage. That would not change  
17       but there would be additional green-space requirements  
18       for those.

19           And then we did the sides to allow for  
20       permeable pavement as well, and that would allow for  
21       those basic requirements. And then those different  
22       types of permeable pavements are defined in the  
23       restrictions. Any questions about that stuff?

24           COUNCILMAN HENSLEY: When I sat in on the  
25       meeting we had, there was a study done, but most

1 people were complying with the current standards but  
2 this will force where we are headed.

3 MS. SUKANEK: Exactly. We did some  
4 research on it to make sure this wasn't out of line  
5 with what has been done in the past. Some of them  
6 were close, and so it's possible that some of those  
7 residences that were built in the past, I don't know,  
8 five years, ten years, might have to adjust slightly,  
9 but it wouldn't be out of line with what has been done  
10 for the past few years. So it seems to be about the  
11 right amount. It was also based on other  
12 municipalities, they are doing similar things. So the  
13 percentages are not out of line with what is being  
14 done in the area.

15 As far as the -- as far as the subdivision  
16 requirements, basically we just wanted to make sure  
17 that things were up to MSD, and a lot of the other  
18 requirements. We were just trying to make sure that  
19 we are not duplicating what MSD is doing, and not  
20 doing something that conflicts with what they are  
21 doing, kind of supporting what they are doing, kind of  
22 bolstering their actions a little bit as far as in  
23 subdivisions.

24 For land disturbance --

25 COUNCILMAN FOX: Andrea, I think something

1 that seems very important, the point 4 there about  
2 retention, the detention basin swales and other  
3 stormwater, would be designated as common ground or  
4 located by the subdivision.

5 MS. SUKANEK: Right. We did talk about  
6 that at our last meeting, and we determined that  
7 specifically the swales or collection devices,  
8 specifically for subdivision improvement, should go  
9 into common ground and not for every individual lots.  
10 That was the distinction we had at the last meeting.

11 MAYOR SPEWAK: So this is for new  
12 subdivisions?

13 MS. SUKANEK: Right.

14 MAYOR SPEWAK: But it could apply to an  
15 older subdivision that wanted to add detention.

16 MS. SUKANEK: Right. Or an old subdivision  
17 that's dividing into individual lots or something like  
18 that. It probably wouldn't -- I guess depending on  
19 how it's designed. It could apply if somebody is  
20 completely changing all the lot lines of the  
21 subdivision.

22 MAYOR SPEWAK: So, an existing subdivision  
23 if somebody buys up all the homes and starts to  
24 reconfigure what they are building, it would apply on  
25 that?

1 MS. SUKANEK: Right.

2 MAYOR SPEWAK: Okay.

3 MS. SUKANEK: And then land service is the  
4 next section there. Basically we just want to make  
5 sure that there is not going to be, you know, silt and  
6 other materials are able to flow onto other people's  
7 property. We just beefed that up a little bit and  
8 making sure that people know they have to use silt  
9 fences, and they have to submit a plan to control that  
10 erosion. I don't think there was anything hugely  
11 different in that section.

12 And then for existing -- I guess for new  
13 construction there is just an added restriction for  
14 downspouts for where your downspouts can flow to. We  
15 wanted to make sure that nothing was going onto  
16 adjacent property. It has to be at least 20 feet away  
17 from the property line. And ideally within the  
18 buildable area of the lot. Then the same basic things  
19 for sump pumps as well.

20 We had some more stuff in here for  
21 maintenance. Stormwater facilities, just to make sure  
22 that they are being maintained properly. MSD does a  
23 lot of that as well, but we wanted to be able to  
24 support MSD again by kind of requiring some backup of  
25 what they require.

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1           MAYOR SPEWAK: Is it correct to say it is  
2 the homeowner's responsibility to have their  
3 detention/retention, their basins inspected?

4           MS. SUKANEK: Yes.

5           MAYOR SPEWAK: And that they get the letter  
6 from MSD. We will keep a record of who has such  
7 maintenance agreements recorded with MSD, but it is  
8 the homeowner's responsibility. Much like you have a  
9 sprinkler system, and they send you a letter and you  
10 have to have a backflow device, and so it's the same  
11 procedure.

12           MS. SUKANEK: Sure. MSD does require these  
13 things, and so we basically just are requiring a copy  
14 of what MSD gets. We will have to do that in order to  
15 get a copy of that. But it is the homeowner's  
16 responsibility to make sure they are conforming to  
17 that every year or a couple of years.

18           MAYOR SPEWAK: Then we will have a  
19 mechanism in the city to know who should be complying.

20           MS. SUKANEK: Right.

21           MAYOR SPEWAK: So we can deal with MSD if  
22 they are falling behind.

23           MS. SUKANEK: I think we already have a  
24 list of everybody that has a detention/retention and  
25 kind of know what's going on.

1 I think I have covered the basics. Are  
2 there more specific questions or anything else you  
3 want to go into in more detail?

4 COUNCILMAN FOX: I think you and the Zoning  
5 and Planning are to be congratulated on sticking to it  
6 on this.

7 MS. SUKANEK: It has been a few months in  
8 the making.

9 COUNCILMAN FOX: I would have lasted two  
10 and a half hours. I appreciate the work that Z and P  
11 does.

12 MAYOR SPEWAK: I also would like to  
13 recognize the entire stormwater development standards  
14 committee and Ann Carter is in the back, and she sat  
15 on the committee. And so we greatly appreciate all  
16 that you and your committee efforts did for us.

17 Stormwater is a tremendous problem in the  
18 city, and we are seeing more and more homes need to be  
19 developed and more and more spec homes coming in, and  
20 we want to be sure to do what we can do to control  
21 stormwater.

22 Planning and Zoning suggested, I think,  
23 that we will watch it, and we may ask them to look at  
24 it again in six months of your recommendations if we  
25 need to. It's a great step forward, I think.

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1 Did you have a question about this?

2 AUDIENCE: I was concerned whether it  
3 imposed any obligation on the trustees now or existing  
4 subdivision as it applied to any existing facility,  
5 and it does not, and so I'm a happy man.

6 MAYOR SPEWAK: Mayor Bommarito.

7 MR. BOMMARITO: On the street called  
8 Fieldcrest there are eight new homes. Does each one  
9 get approval from the building department, and does it  
10 pertain to any stormwater? The homes are twice as big  
11 as the ones going in that are currently there.

12 MAYOR SPEWAK: Will, do you have any -- one  
13 is going up already.

14 MR. PENNEY: We have got two right now, but  
15 I believe they were reviewed under our current  
16 standards, and if this gets adopted we will start  
17 there.

18 MAYOR SPEWAK: Which is really my point,  
19 that we need to get it in place. But I will also say  
20 that we are fairly strict now. We are certainly  
21 controlling the stormwater on those two houses.  
22 Questions?

23 COUNCILMAN BURROUGHS: Are there fines  
24 attached?

25 MS. SUKANEK: I mean, it's the same types



1 of fines that are attached now if you are in violation  
2 of any of our ordinances.

3 MAYOR SPEWAK: Anybody else have any  
4 questions?

5 AUDIENCE: Is this a review in the  
6 beginning and you come out at the end and say that's  
7 not what we had, or is it going to be intermittent  
8 visits, because we have a house in our subdivision.  
9 It's the dirt that came out of the foundation was just  
10 piled up around, and now we have a five-foot high or  
11 steeper fill. I'm not sure how they are going to  
12 control it. What is the enforcement?

13 MAYOR SPEWAK: Well, Anne or Will.

14 MR. PENNEY: They are going to have to  
15 abide by it. Obviously when we do plan review,  
16 stormwater is one of the most looked-at things we do  
17 right now. If that piling-up that dirt wasn't on  
18 their original plan they can't do that. If it was we  
19 thought the grades would be okay, and then they can do  
20 that. But obviously it can't adversely affect  
21 neighboring property. So we would have to take a look  
22 at that to see if it was approved on their grading  
23 plan.

24 AUDIENCE: We had a house built next door  
25 to us recently, and there was a lot of regrading done.

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1 And we have a stormwater creek that runs between our  
2 property and the new property. And before the  
3 regrading was done, the creek always was dry unless  
4 there was a storm with heavy rains. Now we have water  
5 in there constantly. There is -- the regrading has  
6 limited the runoff to -- I think -- I think the  
7 stormwater goes to sinkholes behind our property. And  
8 now we have water in the creek all the time. And I'm  
9 afraid it's going to be a major mess this summer with  
10 mosquitos and that.

11 And also because of the regrading behind us  
12 the silt and road debris is backing up into our  
13 property.

14 MAYOR SPEWAK: What is your address?

15 AUDIENCE: 50 Woodcrest. And the new house  
16 is at the corner of Woodcrest and Lindbergh.

17 MAYOR SPEWAK: Where it comes down.

18 AUDIENCE: Exactly. And the property  
19 behind us where the grading was changed is known as  
20 the Wolfsberger (phonetic) property. I think it's  
21 Deerfield. So I don't know if anything like that is  
22 going to be addressed, but there was regrading done,  
23 and it's adversely affected our property.

24 MAYOR SPEWAK: Regrading done on the new  
25 home? I just want to make sure I understand it.

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1 AUDIENCE: It was done --

2 MAYOR SPEWAK: Where is the regrading?

3 AUDIENCE: Regrading was done at the new  
4 home and at the property behind ours. There was a --  
5 and the property behind us, there had been a culvert  
6 pipe that -- the creek that affects us drained into,  
7 and I assume that went to a sinkhole. And that  
8 culvert pipe was removed. And ever since that was  
9 done we have had problems. And I was told that that  
10 would be addressed, but it hasn't.

11 MAYOR SPEWAK: Okay. Have you -- Will, do  
12 you want to followup on this?

13 MR. PENNEY: I can look at that. The  
14 sinkholes in that area are a fairly major issue right  
15 now. They are not draining like they used to.

16 MAYOR SPEWAK: Okay.

17 MS. LAMITOLA: So we have your information  
18 in this office, my name is Anne Lamitola. And so next  
19 month the stormwater committee will be presented with  
20 the draft of the master plan. So -- and then from  
21 there that will go on to committee, and then on to  
22 Council. So today these regulations that Andrea  
23 Sukanek is talking about, the development standards  
24 for new projects and things like that, if you have a  
25 specific complaint, if you let the building department

1 respond to that in terms of the new projects that are  
2 going to be addressing stormwater, that should be in  
3 this the master plan.

4 MAYOR SPEWAK: I think you bring up a good  
5 point about making sure that the project, that there  
6 are some measures to make sure that the grading is  
7 done appropriately. Obviously when it comes in we  
8 have the contours, we know the grading level. And so  
9 I think that we should look at internally do we need a  
10 check and balance in there before the end of the  
11 project, which I think is what you are saying, that  
12 before you get all the way with the dirt piled up  
13 let's be sure that it was approved to put it in back  
14 in that manner.

15 So let's internally look at how we can  
16 manage that. It doesn't necessarily have to be  
17 addressed as the standard, but it can be the  
18 implementation. And I really do think that's very  
19 important. So let's make a note to have some sort of  
20 a system.

21 MS. SUKANEK: We do have kind of a general  
22 statement, onto adjacent properties which is pretty  
23 broad and that covers things like grading and paving  
24 and things like those.

25 And then a lot of grading projects are

1 supposed to come and get building permits. I don't  
2 know that we notice every single grading project.  
3 There may be some that are supposed to come for  
4 building permits, but don't necessarily come. As long  
5 as we catch those we should be able to control those  
6 more.

7 MAYOR SPEWAK: Any other comments?  
8 Questions?

9 AUDIENCE: I have two questions. One is,  
10 are these standards higher than the standards that are  
11 required right now by MSD or DNR or EPA? The second  
12 question is, will these standards perhaps change or  
13 curtail some of the development practices going on  
14 right now that have been a little controversial to  
15 some people?

16 MS. SUKANEK: These are supposed to kind of  
17 go with MSD requirements, so some of them are fairly  
18 similar. MSD does not have like our green-space  
19 requirements, stuff like that. It is higher standards  
20 that MSD has right now. And the goal is to kind of,  
21 you know, to maintain the somewhat smaller houses on  
22 smaller lots, or to make sure that things are kind of  
23 in line so that each lot has some green space where  
24 they can absorb some of their own water and so water  
25 is not flowing out in the streets or other areas.

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1 Does that answer your question well enough?

2 AUDIENCE: It does, yes.

3 MAYOR SPEWAK: Anything else? Okay. If no  
4 one else has any other comments then I would thank  
5 you, Andrea.

6 I would ask for a motion to close the  
7 public hearing.

8 COUNCILMAN FOX: So moved.

9 COUNCILMAN HENSLEY: Second.

10 MAYOR SPEWAK: All in favor?

11 COUNCILMAN BRENNAN: Aye.

12 COUNCILMAN BURROUGHS. Aye.

13 COUNCILMAN FOX: Aye.

14 COUNCILMAN HENSLEY: Aye.

15 MAYOR SPEWAK: Opposed?

16 (At this time the public hearing  
17 continued.)

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CERTIFICATE OF REPORTER

I, Bobbie L. Luber, Registered Professional  
Reporter, Certified Court Reporter, and Notary Public  
within and for the State of Missouri, do hereby  
certify that the meeting aforementioned was held on  
the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand  
and seal.

A handwritten signature in cursive script, reading "Bobbie L. Luber", written over a horizontal dashed line.

Bobbie L. Luber, RPR, CCR #621